

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:)	
)	Bankruptcy No. 19-22715-CMB
5171 CAMPBELLS LAND CO., INC.)	
)	Chapter 11
)	
Debtor.)	
_____)	
)	
FIRST NATIONAL BANK OF)	
PENNSYLVANIA,)	
)	
Movant,)	
)	
vs.)	
)	
5171 CAMPBELLS LAND CO., INC.)	
)	
)	
Respondent/Debtor.)	
_____)	

**LIMITED OBJECTION OF FIRST NATIONAL BANK OF
TO CONFIRMATION OF DEBTOR'S CHAPTER 11 SMALL BUSINESS PLAN OF
REORGANIZATION**

AND NOW, comes First National Bank of Pennsylvania (the "**Bank**"), by and through its attorneys, Donna M. Donaher, and hereby files this Limited Objection to Confirmation of Debtor's Chapter 11 Plan of Liquidation dated November 12, 2019 (the "Plan"), and in support thereof, Bank respectfully states the following:

1. This case was commenced by a Petition for relief under Chapter 11 of the United States Bankruptcy Code ("**Code**") on July 8, 2019 ("**Petition Date**").
2. The Bank is the holder of a claim secured by a first lien mortgage on real property known as 5171 Campbells Run Road, Pittsburgh, PA 15205 ("Real Property").
3. As of the Petition date, the balance owing to the Bank totaled \$629,252.53.

4. The Chapter 11 Plan provides that the Plan Administrator will sell the Real Property. The Plan further states that the Plan Administrator **may** engage a broker to sell the Real Property and further states that the Bank will be paid in full at the closing.

5. The Plan provides for no payments to the Bank while the Real Property is marketed for sale.

6. The Bank files this limited objection to confirmation to the Debtor's proposed Chapter 11 based on the Plan's failure to set a deadline for the Plan Administrator to retain a real estate broker and fails to fix a deadline for the sale of the Real Property.

7. The Bank requests that the Plan confirmation be conditioned upon the Plan Administrator either filing a motion for approval of the sale of the Real Property or a motion to retain a broker on or by March 1, 2020.

8. Moreover, the Bank requests that the Plan confirmation be conditioned upon a deadline of June 1, 2020 being fixed for the filing of a motion to approve the sale of the Real Property.

9. Finally, the Bank requests that the Plan confirmation order provide that absent the filing of a sale motion on or by June 1, 2020, that the automatic stay will automatically be terminated as to the Real Property and the Bank.

WHEREFORE, First National Bank of Pennsylvania respectfully requests that this Court enter an Order denying confirmation of the Debtor's Chapter 11 Plan of Liquidation.

Respectfully submitted,

Dated: 1/09/2020

By: /s/ Donna M. Donaher

Donna M. Donaher, Esquire

Pa. I.D. No. 53165

donaherd@fnb-corp.com

First National Bank of Pennsylvania

100 Federal Street, 4th Floor

Pittsburgh, PA 15212
(412) 320-2191
Attorneys for First National Bank of Pennsylvania

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ORDER OF COURT

AND NOW, this _____ day of _____, 20__, upon consideration of the Limited Objection of First National Bank of Pennsylvania to Confirmation of Debtor's Chapter 11 Small Business Plan of Liquidation, it is hereby ORDERED, ADJUDGED and DECREED that confirmation of the Debtor's Chapter 11 Plan of Liquidation dated November 12, 2019 is DENIED.

BY THE COURT:

The Honorable Thomas Bohm
United States Bankruptcy Court

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CERTIFICATE OF SERVICE

I certify that I served or caused to be served a copy of the foregoing Objection to Confirmation of Chapter 11 Plan of Liquidation upon each of the persons and parties in interest at the addresses shown below by United States Mail, First Class, Postage Pre-Paid, unless otherwise indicated:

Debtor
5171 Campbells Land Co., Inc.
18276 Conneaut Lake Road
Meadville, PA 16335

Debtor's Counsel
Robert O. Lampl
Robert O. Lampl Law Office
Benedum Trees Building
223 Fourth Avenue, 4th Floor
Pittsburgh, PA 15222

Trustee
Norma Hildenbrand
Office of the United States Trustee
Suite 970, Liberty Center
1001 Liberty Avenue
Pittsburgh, PA 15222

Dated: 1/9/2020

By: /s/ Donna M. Donaher
Donna M. Donaher, Esquire, Pa. I.D. No. 53165

100 Federal Street, 4th Floor
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